

Application No. (if known): 10/091,135

Attorney Docket No.: 02313/100H587-US1

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MS Amendment
Commissioner for Patents
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on November 4, 2004
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Response to Restriction Requirement (2 pages)
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Docket No.: 02313/100H587-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Te P. KING et al.

Application No.: 10/091,135

Art Unit: 1644

Filed: March 4, 2002

Examiner: P. J. Nolan

For: **RECOMBINANT HYBRID ALLERGEN
CONSTRUCTS WITH REDUCED
ALLERGENICITY THAT RETAIN
IMMUNOGENICITY OF THE NATURAL
ALLERGEN**

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action for the above-identified application that was mailed by the U.S. Patent and Trademark Office on October 8, 2004. The Office Action set forth a restriction requirement for the application.

In response to the restriction requirement, Applicant elects examination of Group I, claims 1-19, drawn to a hybrid allergen protein. The election is made without traverse. As required by the Examiner, Applicant further elects for prosecution on the merits should no generic claim be finally held to be allowable, the specific *Vespula vulgaris* Ag 5 epitope sequence set forth in SEQ ID NO: 5 and the specific scaffold protein *Polistes annularis* Ag 5 set forth in SEQ ID NO: 17.

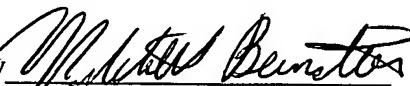
The present elections are made without prejudice or disclaimer. Applicant specifically reserves the right to pursue all non-elected subject matter in one or more divisional application.

Applicant further reaffirms to the fullest extent in accordance with the Rules of practice, the Examiner's acknowledgment of the right of rejoinder and entry of process claims that depend from or otherwise include all the limitations of allowed product claims.

The application is believed to be in condition for allowance. A prompt and favorable action the merits of the application is earnestly solicited.

Dated: November 4, 2004

Respectfully submitted,

By 

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